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DEPARTMENT OF STATE

ON THE RECORD UNLESS OTHERWISE SPECIFIED

(DPC 228)

TRANSCRIPT OF PRESS AND RADIO BRIEFING, SATURDAY, OCTOBER 27, 1962
3:20 P.M., E.D.T.

MR. REAP: (Press Release No. 644 distributed) This is Mr. (Roland) Moores of the Office of Security and Consular Affairs. What he says, of course, is for background.

MR. MOORES: Well, leaving aside the matter of vessels which will depart from American ports which is a part of the procedure which will be administered by Justice, these remarks of mine will concern departure of vessels from foreign ports.

Q. Are there very many vessels outside of the Navy leaving American ports for Cuba?

A. There probably will be considerable when you take into account the fact that this procedure applies to vessels which transit the area within 500 miles of Cuba. This is probably the largest factor in the system, that character of vessel.

Q. You can't even get out of the Gulf from Houston without having a CLEARCERT.

A. No. With respect to a ship departing a foreign port and which will transit the water within 500 miles of Cuba and is destined for a non-Cuban port, the ship's officer or the ship's agent will file with an American consular officer a notice of transit. This notice of transit --

Q. Ship's owner or agent, you say?

A. That's right. Ship's officer or agent will file a notice of transit with an American consular officer. Now this notice of transit will contain the following information: the name and nationality of the vessel; the type of the vessel; the name of the

last port of departure before transitting the waters around Cuba --

Q. Intended last port of departure then?

A. That's right. -- and the estimated time of departure from that port. This information will then be relayed by the consular officer to the service attache at one of our Embassies. And he will do this by the most expeditious means possible, in most cases by telephone. He can send it in by commercial communications or whatever is the best way depending on the post. If there is a Navy Attache, of course it will be that Attache. In some posts we don't have Navy Attaches.

Q. You mean Embassy in the country of the last port of departure before the intercept zone?

A. That's right. Then the Attache takes this information and puts it on the navy communications net and it goes to the commander in the Cuban area.

Q. You may call that the information net?

A. Well, the Navy has its own -- I just call it that, it's a layman's expression -- it has its own communications facilities and these will be used for this purpose.

Q. It goes to whom? The Navy?

A. Yes.

Q. To put it a little, you know, in sort of layman's terms, the Attache informs the Navy Department, doesn't it?

A. That's correct, yes.

Q. And they inform the commander of the blockade.

A. Yes.

Q. Does the shipmaster get something?

A. No. Not in a case such as this where he is merely transitting the area. There is no inspection on a vessel which is just transitting the area.

Q. They will be kept under surveillance to make sure they are just transitting?

A. If he says he is transitting and he doesn't, he would be in trouble.

The second part of the procedure concerns a vessel which is going to a Cuban port with a cargo which does not contain offensive weapons or associated materiel. In this case the ship's representative or ship's officer applies for a clearance certificate which brings up this code name CLEARCERT. And the information he will submit will be the following: the name, nationality and type of vessel; the last port of departure; the time of departure from that port; the estimated time of arrival at the Cuban port. In these cases vessels of cargo going to Cuba, an inspection will be made by a Service Attache. And upon his determination --

Q. Where?

A. At the last port before the ship --

Q. Not where they submit this information?

A. No.

Q. But the last port of departure before the intercept zone.

A. The last port. This is essential. The system doesn't work if it is not the last port; it must be the last port. And upon a determination by the Service Attache that there are no offensive weapons or associated materiel on board, the consular officer

sign and seal this application and deliver it to the ship's officer. The certificate is to be carried on board.

Q. That makes it a --

A. That makes it a CLEARCERT, or a Clearance Certificate after the consular officer signs and seals it.

Q. To the ship's officer?

A. Yes.)

~~Q.~~ And it is to be carried on board vessel during that journey?

~~(Inaudible)~~

Q. Do they pass the chit over to the Navy somewhere?

A. In this case since the ~~Mary~~ Attache himself is there in this operation, namely, to conduct the inspection, he will automatically relay the information to the Navy Department for proper transmittal to the Naval Commander.

Q. I assume that this application would have something about the nature of the cargo, wouldn't it?

A. Oh, I beg your pardon, I omitted ^{a point.} ~~that~~ A copy of the manifest must be attached to the application.

Q. That would be point four?

A. I think five.

Q. Yes.

Q. That makes time a separate point?

Q. Yes.

Q. No manifest on the first type vessel which is just transitting?

A. That's right. No manifest. That's the way the system will work.

Q. (Inaudible)

A. No, the Clearance Certificate can only be obtained at a port

from --

Q. No, I mean when he has the Clearance Certificate and now he is out to sea again proceeding toward Havana and he crosses the picket line. Does an American naval vessel go up, board him and look at the Clearance Certificate?

A. No. It can but the system is designed to facilitate the passage of this vessel and avoid the necessity of requesting this vessel to stop and have a visit and a search.

Q. It will be visual in that case only?

A. Yes.

Q. Unless you had some reason to believe there was some hanky-panky since the last port of departure.

A. That's right. For example, a hypothetical case, if further information is developed after the departure of the vessel which brings it under suspicion, it, of course, can be stopped. The Certificate is not a guarantee of free passage. This point is made to the ship's officer at the time he receives the Certificate.

MR. REAP: May I ask a question here? They might be back to me later. ~~XX~~ What is the purpose of the Certificate if no one looks at it?

MR. MOORES: The Certificate, bear in mind, is issued only after there is an inspection, in this case an inspection at a port by a naval officer. It is carried on board the vessel. It is a desirable piece of paper in this case for the ship's officer.

It is a question, if it came up, you have a Certificate, produce it and there he has it. It is the hands of the ship's officer to show that his ship was inspected.

Q. The sentiment of this is, as you say, this is not a guarantee. It is an effort to expedite ~~g~~their passage. We don't say that we are guaranteeing that they won't be stopped. We are saying that this is a system that may help you.

A. And it is available on application. Of course, it is not in any way required. It is up to the ship's officer or the ship's owner to apply.

Q. What about the first form of Certificate? Is that also no guarantee of free traffic?

A. That's right. No guarantee attaches to the notice of transit.

Q. Doesn't it introduce an entirely new element into the thing. The blockade has been against ships going to Cuba. Now the United States is demanding that ships going to non-Cuban ports must obtain a Certificate for free passage on the high seas.

A. No. I wouldn't say we are demanding it but in view of the fact that the area extends out ~~an~~ a radius of 500 miles and thereby encompasses some well-travelled shipping routes and, of course, will bring within that area vessels transitting the area for other destinations. In order to facilitate not only the ship's travel but also the work of the navy, this notice of transit was devised for that purpose but it is not a guarantee. But if your vessel is off just on the fringe of the area or travelling in a direction away from Cuba or not toward a Cuban port, the fact that the Navy has notice of the arrival and the passage of this vessel helps the Navy in its obligation, or its duty, to carry out the quarantine.

Q. I think that the point that he is getting at is that there is no requirement that you have this Clearance if you would prefer

to have the search conducted at sea, the U.S. Government will be glad to accommodate you.

A. That is correct.

Q. No. This extends the blockade. It introduces an entirely new element into the blockade which previously was ships going to Cuba. This is now requiring a Certificate of free passage of ships that may not be going to Cuba. I am Canadian and I am thinking about traffic with South American ports.

Q. As a matter of fact, we wouldn't understand it at all if it weren't for the fact that we just got a piece of paper a little while ago saying that the interception area is a radius of 500 miles from Havana and 500 miles on the East Coast. In the light of the size of that area (inaudible)

A. Well, I don't think it is correct to say it extends the blockade. But the fact that, for example, your Canadian vessel is on ~~the~~ a journey which is going to ~~not~~ transit this 500-mile radius, it will depend on the judgment of the Canadian owner, of course, if he wishes to make available to our consulate in Ottawa the information that this vessel is going to pass through there, we will be happy to relay that to the Navy and the Navy will be happy to ^{receive} ~~send~~/it so ~~that~~ as to facilitate the transit of the vessel.

Q. Let me put it this way. What sources in law would you cite for the right to stop and inspect a vessel travelling between any one port and any other port, excluding Cuban ports?

A. Well, I am not an expert in international law to give a justification in international law for stoppages of certain

vessels in the circumstances you describe. I will be glad to find out for you. But I just came down here today to outline what is really an administrative procedure which has been set up through our consular corps to facilitate passage of vessels transitting the area and vessels destined for Cuba with cargo not containing offensive weapons or associated materiel.

Q. What is the situation before this had gone into effect with Canadian ships going to South America and not touching at Cuba? Had they been stopped and challenged?

A. If this system were not in effect, then of course the decision would rest with the Navy whether it would stop all ships within the 500-mile area or only certain ships --

Q. I know -- What is their decision? What has it been? He is trying to find out whether there is a change. And we don't know what the past practice was.

A. As of up to now, I know the only stoppage of ships or delay of ships, I am aware of, are those that have already been reported.

Q. Have the others been passing through?

A. So far as I know normal commercial shipping has not been interfered with, nor is it stopped.

MR. REAP:

Qx/ I think you have to ask the Defense Department about that.

Q. What about materiel? "Associated materiel", or whatever it is. What about oil? What about this tanker that was let through? Isn't oil associated with ^{these} ~~an~~ offensive weapons?

A. No, it does not come within the definition in the President's Proclamation of October 23 ^{which} ~~which~~ spells out in more detail the

types of offensive weapons and associated materiel covered by that order, but oil is not in that category.

Q. Are ship owners given a ^{definitive} list of associated materiel?

A. The ship owners will get this information from the Attache who will make the inspection, not from the consular officer.

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P/ON:VJH

EXTRACT FOLLOWS

DEPARTMENT OF STATE
FOR THE PRESS

OCTOBER 27, 1962

NO. 644

The Department of State announced today the institution of a system of clearances to assist vessels which transit waters in the vicinity of Cuba and vessels destined for Cuban ports with cargoes containing no offensive weapons or associated materiel.

The system, developed by the State, Defense and Treasury Departments is designed to avoid unnecessary delays and other difficulties arising out of the stoppage, inspection or possible diversion of ships.

The system is for the convenience of shipping and clearances are obtainable upon application by ships' owners, agents or officers.

A vessel departing a United States port may obtain a special clearance from customs authorities at the port of departure. A vessel departing a foreign port may obtain the clearance from an American Consulate.

The system covers two types of clearances. With respect to vessels departing American ports, whether destined for a Cuban port or merely transiting waters in the vicinity of Cuba, a Clearance Certificate (CLEARCERT) is obtainable from United States customs authorities.

With respect to vessels departing foreign ports, those which only transit waters in the vicinity of Cuba may file a Notice of Transit with the American Consulate at the last port of departure; those destined for a Cuban port with a cargo containing no offensive weapons or other prohibited materiel may obtain a Clearance Certificate (CLEARCERT) from the American Consulate at the last port of departure.

In unusual circumstances it may be necessary to stop, inspect or divert a ship despite the fact that it has a clearance.

The procedure for the clearance of vessels from United States ports will be put in effect by the Treasury Department immediately. In the case of foreign countries, the procedure will become operative as soon as arrangements are made with those countries.